

April 18, 2025

Email:

9Docketing@cand.uscourts.gov

Honorable Claudia Wilken
United States Senior District Judge
Northern District of California
Ronald V. Dellums Federal Building
& United States Courthouse
Office of the Clerk
1301 Clay Street, Ste 400 S
Oakland, CA 94612

Re: In re College Athlete NIL Litigation, Case No. 4:20-cv-03919-CW (N.D.
Cal.), Claim No.: 10389706901, PIN Code: 4940
NCOO: ClaimID: 10389706901, PIN Code: 4940

Dear Judge Wilken:

My name is Sebastian Rivera and I am Hispanic.

My April 14, 2025 original letter to Your Honor contained a few typos or errors. This letter fixes them and refers to my original letter.

I was a Five-time NCAA Division I Wrestling All-American at Northwestern (2016-2020) and Rutgers (2020-2022) at 125, 133 or 141 lbs., including a 2020 and 2022 NCAA Bronze Medalist and No. 1 seed at my weight in 2020 when the NCAA Wrestling Championships were cancelled due to Covid. I was also a Freestyle Wrestling Bronze Medalist for Puerto Rico at the 2024 Paris Summer Olympics, a 2022 NWCA Academic All-American and a Two-time Big Ten Wrestling Champion. I defeated seven NCAA Division I Wrestling Champions during my collegiate career – including Spencer Lee, one of the greatest collegiate wrestlers of all time and Wrestling Silver Medalist for the United States at the 2024 Paris Summer Olympics. My wrestling career has also included 5th place and 7th place finishes at the World Freestyle Wrestling Championships.

I submitted, and continue to submit, my original letter as an objection to the proposed damages class settlement terms in the above-captioned case on behalf of myself and all other collegiate wrestlers during 2016-2022 for at least two reasons:

1. The means of determining payouts for the damages class is opaque, unclear and illogical, and has resulted in grossly unfair estimated payouts, *in my case only \$2,990.55.*
2. The settlement method creates a “third class,” that is, an “Additional Sports Class,” consisting of non-football and basketball collegiate athletes in so-called “minor sports,” including men’s wrestling, men’s and women’s cross-country, men’s and women’s soccer, men’s and women’s volleyball, women’s field hockey, fencing, men’s and women’s swimming, men’s and women’s track and field, men’s baseball, women’s softball, men’s and women’s tennis, women’s crew, men’s and women’s lacrosse, women’s archery, men’s and women’s golf, and men’s and women’s squash. *Only 5% of the \$6 million settlement pot is set aside for these thousands of collegiate athletes, a paltry \$30 million.*

I apologize for submitting my original letter only on April 14, 2025. *The fact is that I was not aware until last Friday morning, April 11, 2025, that I had had the right to opt out of the settlement, when an attorney that I fortuitously met the day before, April 10, 2025, first looked into my situation.* I believe this lack of knowledge until then to be equally the case not only for other NCAA Division I Wrestling All-Americans during 2016-2022, but also all NCAA Division I wrestlers during that period, based on my conversations with any number of them and one or more of their college wrestling coaches.

I was under the impression that if you did not explicitly opt in, you would forfeit any opportunity to recover NIL compensation. I received a postcard in the mail. It did not explain what the consequences of this settlement would be. I thought it would be fair compensation, and it has turned out not to be, by a country mile.

Here is a list as of April 11, 2025 of just some of the most prominent NCAA Division I wrestlers that have entered the transfer portal since March 19, 2025 and announced their transfer to other schools, along with the amount of NIL compensation that I understand they are receiving.

AJ Ferrari - \$ 1.1 million for two years, from CSU-Bakersfield to North Carolina, 1st place and 3rd place at the NCAA Wrestling Championships

Dean Peterson- \$275,000 for one year, \$100,000 in incentives, from Rutgers to Iowa, never placed at the NCAA Wrestling Championships

David Szuba - \$125,000 for one year, from Rider to Arizona State, never placed at the NCAA Wrestling Championships

Nasir Bailey - \$300,000+ for two years, from Little Rock to Iowa, 4th place at the NCAA Wrestling Championships

Jordan Williams, \$300,000+ for two years, from Little Rock to Iowa, never placed at the NCAA Championships

Jore Volk, \$150,000 for two years, from Wyoming to Minnesota, 7th place at the NCAA Wrestling Championships

Richard Figuera, \$200,000+ for one year, from Arizona State to Oklahoma State, 1st place at the NCAA Wrestling Championships

Lenny Pinto, \$150,000 for one year, from Nebraska to Rutgers, never placed at the NCAA Wrestling Championships

Isaac Dean, \$150,000 for one year, from Rider to Iowa State, never placed at the NCAA Wrestling Championships

Casey Swiderski, \$125,000 for two years, from Iowa State to Oklahoma State, 7th place at the NCAA Wrestling Championships

Due to time and space limitations, I continue to incorporate by reference, and join in, the following objections or other submissions previously filed in this case:

Letter from Benjamin Burr-Kirven (former University of Washington football player) (objection to settlement) (01-31-2025), Document 637

Letter from Olivia Dunne (LSU gymnast) (objection to settlement) (01-31-2025), Document 624-1

Objectors Charles O'Bannon, Jr. and K. Braeden Anderson Opposition to Motion for Final Approval (04-03-2025), Document 770

Letter from Rachel Garcia (former UCLA softball player) (objection to settlement) (01-30-2025), Document 635

Letter from Porter Dean Gustin (former USC football player) (objection to settlement) (01-31-2025), Document 640

Letter from Joseph Pleasant (former Abilene Christian basketball player) (03-28-2025), Document 763

Letter from Jelena Sever (former UW-Milwaukee soccer player) (objection to settlement) (01-27-2025), Document 609

Declaration of Marcel Dancy (former University of California Berkeley football player) (objection to settlement) (01-31-2025), Document 629

Letter from lawyers for Reese Brantmeier and Maya Joint (tennis players) (objection to settlement) (01-31-2025), Document 625

Letter from Gracelyn Laudermilch (high school senior cross country and track athlete) (01-31-2025), Document 666

I have re-attached photos of myself with my Olympic Bronze Medal, at Northwestern and at Rutgers.

Given my achievements, I firmly believe I would have commanded substantial NIL offers during my collegiate years. In 2020, I was the top-ranked NCAA Division I wrestler at my weight. I never had the chance to benefit financially from my dedication and success, while others today with either equal or fewer or far fewer accolades – are earning upwards of \$275,000 to \$1.1 million through NIL opportunities. And those are only the ones I know about.

I note that the NCAA Division I Wrestling Championships have averaged over 90,000 attendees over six sessions annually for the last decade, with the 2025 Championships setting an all-time attendance record of 104,260. The 2018 Championships reached over eight million total viewers for the three day-event on ESPN and on the ESPN+ streaming platform. The

2025 Championships Finals reached 703,000 viewers on ESPN live alone.

The compensation that the NCAA is trying to deliver is not remotely on a level with what I deserve. I poured my life into the sport of wrestling and I just want fair compensation.

I deeply appreciate Your Honor reading my original letter along with this one and considering my perspective before you approve or reject the settlement.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'S. Rivera', enclosed within a circular scribble.

Sebastian Rivera

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